

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

One Communications Corp.,

Plaintiff,

- against -

JP Morgan SBIC LLC et al.,

Defendants.

No. 07 Civ. 3905 (LTS)(AJP)

**MOTION TO ADMIT COUNSEL  
PRO HAC VICE**

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District  
Courts for the Southern and Eastern Districts of New York, I, Nicholas W. Lobenthal, a member  
in good standing of the bar of this Court, hereby move for an Order allowing the admission pro  
hac vice of

Applicant's Name: Mark S. Resnick  
Firm Name: The Resnick Law Group, P.C.  
Address: Old City Hall  
45 School Street  
City/State/ZIP: Boston, MA 02108  
Phone Number: (617) 722-8383  
Fax Number: (508) 749-6031

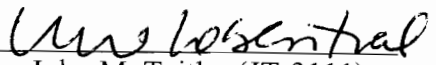
Mark S. Resnick is a member in good standing of the Bar of the Supreme Judicial  
Court of the Commonwealth of Massachusetts, the United States District Court for the District of  
Massachusetts, and the United States Court of Appeals for the First Circuit.

There are no pending disciplinary proceedings against Mark S. Resnick in any State or Federal court.

Dated: June 21, 2007  
New York, New York

Respectfully submitted,

TEITLER & TEITLER

By:   
John M. Teitler (JT-3111)  
Nicholas W. Lobenthal (NL-1451)  
1114 Avenue of the Americas  
New York, NY 10036  
Tel.: (212) 997-4400  
Fax: (212) 997-4949

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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One Communications Corp.,

Plaintiff,

- against -

JP Morgan SBIC LLC et al.,

Defendants.  
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No. 07 Civ. 3905 (LTS)(AJP)

**AFFIDAVIT OF  
NICHOLAS W. LOBENTHAL  
IN SUPPORT OF MOTION  
TO ADMIT COUNSEL  
PRO HAC VICE**

STATE OF NEW YORK     )  
                                  )     ss.:  
COUNTY OF NEW YORK    )

NICHOLAS W. LOBENTHAL, being duly sworn, hereby deposes and says as follows:

1. I am a member of Teitler & Teitler, counsel for Plaintiff in the above-captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff's motion to admit Mark S. Resnick as counsel pro hac vice to represent Plaintiff in this matter.

2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law on May 6, 1991. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. My partner John M. Teitler has known Mark S. Resnick since 2004. I have known Mr. Resnick since March 2007.

4. Mr. Resnick is a member of The Resnick Law Group, P.C., in Boston, Massachusetts.

5. John. M. Teitler and I have found Mr. Resnick to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Civil Procedure.

6. Attached as Exhibit 1 is a Certificate of Good Standing respecting Mr. Resnick issued by the Clerk of the Supreme Judicial Court of the Commonwealth of Massachusetts for the County of Suffolk.

7. Accordingly, I am pleased to move for the admission of Mark S. Resnick, pro hac vice.

8. I respectfully submit a proposed order granting the admission of Mark S. Resnick, pro hac vice, which is attached hereto as Exhibit 2.

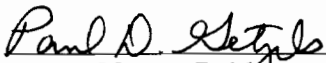
WHEREFORE, it is respectfully requested that the motion to admit Mark S. Resnick, pro hac vice, to represent Plaintiff in the above-captioned matter, be granted.

Dated: June 21, 2007  
New York, New York

Respectfully submitted,

  
\_\_\_\_\_  
NICHOLAS W. LOBENTHAL (NL-1451)

Sworn to before me this  
21<sup>st</sup> day of June 2007.

  
\_\_\_\_\_  
Notary Public

**PAUL D. GETZELS**  
**Notary Public, State of New York**  
**No. 02GE4969157**  
**Qualified in New York County**  
**Commission Expires July 09, 2010**

## COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BE IT REMEMBERED, that at the Supreme Judicial Court holden at Boston within and for said County of Suffolk, on the **seventeenth** day of **December** A.D. **1991**, said Court being the highest Court of Record in said Commonwealth:

**Mark Resnick**

being found duly qualified in that behalf, and having taken and subscribed the oaths required by law, was admitted to practice as an Attorney, and, by virtue thereof, as a Counsellor at Law, in any of the Courts of the said Commonwealth: that said Attorney is at present a member of the Bar, and is in good standing according to the records of this Court\*.

In testimony whereof, I have hereunto set my hand and affixed the

seal of said Court, this **twenty-ninth** day of **May**  
in the year of our Lord **two thousand and seven**.



*Maura S. Doyle*  
MAURA S. DOYLE, Clerk

\* Records of private discipline, if any, such as a private reprimand imposed by the Board of Bar Overseers or by any court, are not covered by this certification.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----  
One Communications Corp.,

No. 07 Civ. 3905 (LTS)(AJP)

Plaintiff,

**ORDER FOR ADMISSION  
PRO HAC VICE  
ON WRITTEN MOTION**

- against -

JP Morgan SBIC LLC et al.,

Defendants.  
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Upon the motion of Nicholas W. Lobenthal, attorney for One Communications Corp., and said sponsor attorney's affidavit in support:

**IT IS HEREBY ORDERED** that

Applicant's Name:	Mark S. Resnick
Firm Name:	The Resnick Law Group, P.C.
Address:	Old City Hall 45 School Street
City/State/ZIP:	Boston, MA 02108
Phone Number:	(617) 722-8383
Fax Number:	(508) 749-6031
E-mail address:	<u><a href="mailto:msrfrlbos@verizon.net">msrfrlbos@verizon.net</a></u>

is admitted to practice pro hac vice as counsel for One Communications Corp. in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated: June \_\_, 2007  
New York, New York

\_\_\_\_\_  
United States District/Magistrate Judge

**CERTIFICATION**

I hereby certify that, on June 21, 2007, I caused true copies of the within Motion To Admit Counsel Pro Hac Vice, the Affidavit of Nicholas W. Lobenthal in Support of Motion To Admit Counsel Pro Hac Vice, and the exhibits annexed thereto to be served by first-class mail, postage prepaid, upon the following persons:

Jayne S. Robinson, Esq.  
Robinson & McDonald LLP  
61 Broadway, Suite 1415  
New York, NY 10006

Attorneys for Defendants JP Morgan SBIC LLC and Sixty Wall Street SBIC Fund, L.P.

Paul E. Summit, Esq.  
Sullivan & Worcester LLP  
One Post Office Square  
Boston, MA 02109

Attorneys for Defendants The Megunticook Fund II, L.P., and The Megunticook Side Fund II, L.P.

David B. Mack, Esq.  
O'Connor, Conason & Mack, LLC  
8 New England Executive Park  
Burlington MA 01803

Attorneys for Defendants Kevin O'Hare and Jeffrey Koester

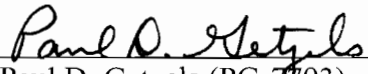
Nicholas J. Panarella, Esq.  
Kelley Drye & Warren LLP  
101 Park Avenue  
New York, NY 10178-0002

Attorneys for Defendant Mellon Investor Services LLC

Joseph S. Hall, Esq.  
Kellogg, Huber, Hanson, Todd, Evans & Figel, PLLC  
Sumner Square  
1615 M Street, N.W., Suite 400  
Washington, DC 20036

Attorneys for Defendant Verizon New England Inc.

Dated: New York, New York  
June 21, 2007

  
Paul D. Getzels (PG-7793)